



Exempt Action Final Regulation Agency Background Document

Agency name	State Council of Higher Education for Virginia
Virginia Administrative Code (VAC) citation	8 VAC 40 -11
Regulation title	Public Participation Guidelines
Action title	Public Participation Guidelines
Final agency action date	September 9, 2009
Document preparation date	September 17, 2009

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 36 (06) and 58 (99).

Summary

Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

Public participation guidelines exist to promote public involvement in the development, amendment, or repeal of an agency's regulations. Under §2.2-4007.02 of the Code of Virginia, every rulemaking body in Virginia is required to adopt public participation guidelines and to use these guidelines in the development of its regulations. Chapter 321 of the 2008 Acts of Assembly (effective July 1, 2008) mandates that by December 1, 2008, agencies either adopt model public participation guidelines issued by the Department of Planning and Budget or if they need to make significant changes to the model guidelines, promulgate new public participation guidelines as fast-track regulations.

The amendments repeal the current public participation guidelines and promulgate the model public participation guidelines. Highlights of the model public participation guidelines include the addition of negotiated rulemaking panels and regulatory advisory panels and instructions for notification lists.

Statement of final agency action

Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.

BE IT RESOLVED that the State Council of Higher Education for Virginia adopts the proposed regulations pertaining to the public participation guidance as developed by the Virginia Department of Planning and Budget, and delegates to the Executive Director the authority to approve any further revisions that may be necessary to satisfy the provisions of the *Administrative Process Act*, effective September 9, 2009.

Family impact

Assess the impact of this regulatory action on the institution of the family and family stability.

Not applicable.